

UNITED STATES DISTRICT COURT

for the

Northern District of Texas

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2015 SEP -1 PM 1:51

United States of America

v.

Saiman Hermez, Jonathan Khalid Petras, Ghazwan
Asaad Shaba, Essa Solaqa, Khalid Yohana, and
Wisam Imad Shaker

Case No.

2:15-MJ-045

DEPUTY CLERK _____

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 31, 2015 in the county of Potter in the
Northern District of Texas, the defendant(s) violated:*Code Section**Offense Description*Title 49, United States Code,
Section 46504 and Title 18, United
States Code, Section 2.

Interference with a Flight Crew and Aiding and Abetting.

This criminal complaint is based on these facts:

see attached affidavit in support of complaint.

☒ Continued on the attached sheet.*Complainant's signature*

T. Scott Hendricks, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: September 1, 2015*Judge's signature*City and state: AMARILLO, TEXAS

Clinton E. Averitte, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF COMPLAINT

I, T. Scott Hendricks, after being duly sworn, depose and state as follows:

1. I have been employed by the Federal Bureau of Investigation (FBI) as a Special Agent since 2002. I am presently assigned to the Amarillo, Texas, office of the FBI. My duties include investigating alleged violations of the laws of the United States, including Title 49, United States Code, Section 46504, interference with a flight crew.
2. The statements set forth in this affidavit are true and correct to the best of my knowledge. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from witnesses and other law enforcement officers. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant, and does not set forth all of my knowledge about this investigation. I make this affidavit in support of arrest warrants for Khalid Yohana, Wasim Imad Shaker, Essa Solaqa, Ghazwan Asaad Shaba, Jonathan Khalid Petras, and Saiman Hermez.
3. On August 31, 2015, I was notified that Southwest Airlines Flight 1522, en route from San Diego, California, to Chicago, Illinois, was being diverted to the Amarillo Airport. When I arrived, I saw the aircraft sitting on the tarmac and six persons separated and detained in the gate area in the airport. I learned from other

law enforcement officials that the aircraft had been diverted to Amarillo and the six persons had been removed from the aircraft by law enforcement personnel.


4. Due to the nature of the incident and the number of witnesses, the entire flight crew and all passengers deplaned. The flight crew and multiple passengers were interviewed and completed written statements.
5. Flight Attendant B advised that six passengers, subsequently identified as Khalid Yohana, Wasim Imad Shaker, Essa Solaqa, Ghanzwan Asaad Shaba, Jonathan Khalid Petras, and Saiman Hermez (also referred to as the six passengers), boarded the flight in San Diego and were sitting together. During the emergency demonstration, Yohana, Shaker, Solaqa, Shaba, Petras, and Hermez were asked numerous times to put their seat backs and tray tables up, which is required for takeoff of the aircraft, to which they verbally responded, "No." When Attendant B told Yohana, Shaker, Solaqa, Shaba, Petras, and Hermez that if they did not comply with her instructions the airplane would have to return to the gate, they complied. Later, while the flight attendants were taking drink orders, the six passengers started talking loudly and using profanity. Attendant B asked them to quiet down and they responded, "We can be as loud as we want and do whatever the fuck we want on here. You can't make us listen." When Attendant B said they couldn't do that, they lunged forward in their seats and said, "We can do whatever we want on here."

6. The six passengers asked for alcohol to be served to them. When Attendant B denied their request, they became aggressive by lunging forward at Attendant B. Attendant B stated she felt threatened and that they were escalating their aggressive behavior.
7. Flight Attendant C encountered the six passengers when they asked her why Attendant B would not serve them alcohol. Attendant C told them she would not serve them alcohol. They accused the attendants of being racist and told Attendant C they could not do that. Attendant C walked away and heard one of them call her a pig. She listened to them tell Flight Attendant A that they could do whatever they wanted to because they bought a ticket. Attendant C saw that the six passengers did not comply with anything they were asked to do and were repeatedly standing up and becoming increasingly louder. Due to the increase in their non-compliant and unpredictable behavior, Attendant C felt uncomfortable and saw that they were attempting to incite other passengers to join in their non-compliant behavior.
8. During the flight, Attendant A was informed by Attendants B and C that there were a group of passengers acting in a defiant, loud, and aggressive manner. When Attendant A asked the six passengers what was happening, they told her they paid for their ticket and would act anyway they wanted to. They became louder and began waving their hands at Attendant A after she told them she would separate them if they would not comply with their requests. Because of the

increasing escalation of loud and aggressive behavior, Attendant A was in fear for the safety of the crew and passengers. She then asked the pilots to divert the aircraft.

9. A female passenger was sitting across the aisle from the six passengers. She observed the six passengers ignore repeated requests to quiet down. When the attendant refused to serve them alcohol, the female passenger heard them call the attendant a racist and a pig. She heard them tell each other to throw gang signs, and then saw them using their hands to gesture gang signs. After using the bathroom, one of the six passengers leaned towards the female passenger and called her a "mother fucker," "ugly ass," and "ugly." He then gave her the middle finger gesture. The passenger began to cry and was shaking. She contacted the flight attendants and was moved to another seat.

10. After the female passenger approached the attendants and was visibly shaken, Attendant A again asked the pilots to divert the aircraft. The flight crew determined a level one threat existed and instituted an emergency lockdown. The pilots diverted the aircraft for the safety of the flight crew and passengers. The aircraft landed at the Amarillo Airport at approximately 10:45 p.m.

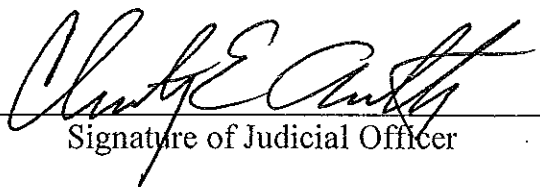


T. Scott Hendricks
Special Agent
Federal Bureau of Investigation

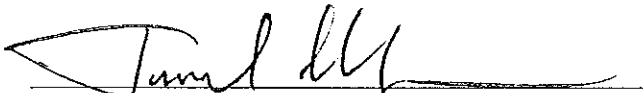
Sworn to before me, and subscribed in my presence

September 1, 2015 at AMARILLO, TEXAS
Date City and State

Clinton E. Averitte U.S. Magistrate Judge
Name and Title of Judicial Officer



Signature of Judicial Officer



Timothy G.E. Hammer
Assistant U.S. Attorney